

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION	MDL No. 2875
THIS DOCUMENT RELATES TO ALL CASES	HON. ROBERT B. KUGLER

NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION

TO: **Steven M. Harkins, Esq,**
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3333 Piedmont Road NE, Suite 2500
Atlanta, GA 30305
Attorneys for Defendants

Please take notice that pursuant to Federal Rule of Civil Procedure 30, and other applicable Rules, including the Local Civil Rules, and the applicable Orders of the Court, Plaintiffs, by and through their counsel, will take the videotaped deposition via Zoom, of John M. Flack, M.D., on September 28, 2021, at 9:00 a.m. central time, and continuing until completion, at Drury Inn & Suites, 3180 S Dirksen Pkwy, Springfield, Illinois, 62703, via Zoom, in accordance with the Fact Witness Deposition Protocol, Case Management Order #20, filed November 17, 2020 (Document 632). The witness shall produce the documents requested at Exhibit A, attached hereto, at least two days in advance of the deposition, to the extent not already served upon Plaintiffs.

TAKING ATTORNEY FOR PLAINTIFFS:

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The videotaped deposition will be taken via Zoom before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure.

September 17, 2021

PLAINTIFFS' CO-LEAD COUNSEL

By: /s/ Ruben Honik
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EXHIBIT A

DOCUMENT REQUESTS

- 1) Copies of all invoices for work performed in connection with any consultation or expert work performed for or on behalf of any defendant or their counsel with regard to any issues in this MDL, including but not limited to for the review of documents, review and consultation with regard to plaintiff experts, preparation of Dr. Flack's report, and preparation for deposition or trial.
- 2) Copies of any notes, i.e. written or electronic, reflecting consulting or litigation work that has not been documented in invoices.
- 3) Copies of any notes or other documentation, including PowerPoints, for any presentations, seminars, or classes, given by Dr. Flack with regard to the risks and benefits of any angiotensin II receptor blockers or nitrosamines.
- 4) Copies of any documents or articles relied upon for the opinions set forth in the report served, if not listed in the report.
- 5) Copies of any documents or articles reviewed in connection with the report served, whether or not listed in the report or attachments thereto.
- 6) Any illustrations, PowerPoints, images, charts, tables or demonstrative exhibits that may be used by or with Dr. Flack in connection with a Daubert hearing or trial testimony in this litigation.
- 7) Documentation of any research grant the witness has been provided to study any angiotensin II receptor blockers, or nitrosamines, or health effects potentially related thereto.
- 8) Documentation of any research the witness has performed with regard to any angiotensin II receptor blockers, or nitrosamines, or health effects potentially related thereto.
- 9) Copies of any documents including protocols or information about medication side effects, available to the witness from any hospital or academic institution where he has worked, had an

appointment, or had privileges, which set forth information related to the risks and benefits of any angiotensin II receptor blocker or nitrosamines.

10) Any documents or other communications the witness has received from any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of information provided by counsel who retained the witness.

11) Any communications from the witness to any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of communications to counsel who retained the witness.

12) Any textbook referenced by the witness in forming his opinions.

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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2021, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

PLAINTIFFS' CO-LEAD COUNSEL

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